

REMARKS

Claims 14-24, 34-41, 55-65 and 75-85 were rejected under 35 U.S.C. 102(e) as being allegedly anticipated by Gallagher. In addition, claims 1-13, 25-33, 42-54 and 66-74 were rejected under 35 U.S.C. 103(a) as being allegedly obvious over Gallagher and Srinivasan. In response, applicants have amended base claims 1, 14, 34, 42, 55 and 75. Claims 4-13 and 45-54 have also been amended to properly reference amended base claims 1 and 42, respectively.

The invention is directed to providing an information assistance service which a user may call to obtain, e.g., telephone listings and other information. The invention is premised upon a recognition that a prior art information assistance service provides information to a user on a call-by-call basis. That is, the prior art service fails to provide a user with access to the information previously requested by the user from earlier information assistance calls. In addition, if the user wants to record the information for future use which is typically provided verbally by the prior art service, the user needs to record it by hand. This proves to be cumbersome for mobile device users, especially for those who are driving.

The invention overcomes the prior art limitations by having an information assistance service cumulatively store, in a folder associated with a user, information resulting from searches in response to the user's past and present information assistance requests. For example, the folder may be identified by the user's telephone number or ANI which is automatically captured by the service when the user calls the service. The service places the user's folder at a predetermined data location (e.g., at a predetermined WAP site or website) so that the user always can, at his/her convenience, access his/her folder at such a predetermined data location to look up previously sought information. *See page 3, line 3 et seq. of the specification.*

In accordance with a feature of the invention, the user folder may also contain configuration data which may be provided by the user during the service registration and

modified subsequently based on the user's preferences. Relying on such configuration data, the service can present on a user mobile device (e.g., a WAP enabled wireless telephone) the information in the user file in an organization according to the user's preferences. *See* page 14, line 17 *et seq.* of the specification.

Gallagher discloses a technique for using speech recognition to initiate a WAP session. In accordance with the Gallagher technique, to initiate a WAP session, a user calls a voice recognition server (S-WAP server 7) using a wireless device and requests the desired information by speech. The server contacts one or more web sites for the information and sends the found information to a gateway to initiate a data session with the wireless device over a wireless network. *See* paragraphs [0006] and [0007] of Gallagher.

Srinivasan discloses a technique for time-aware and location-aware marketing.

However, nowhere does Gallagher teach or suggest cumulatively storing, in a file, information requested by a user in separate communications to the inventive service, where the file is associated with the user and placed at the same predetermined data location to facilitate user access thereto. Specifically, Gallagher fails to teach or suggest "storing the first information in a file associated with the user," which is responsive to the first request in "a first communication," and "retrieving the file associated with the user" to incorporate into the file second information resulting from a search in response to a second request "in a second communication ... after a termination of the first communication," as amended claims 1 and 42 now recite.

Moreover, nowhere does Gallagher teach or suggest that any file associated with the user which contains the first and second information be accessible at the same "predetermined data location," where the first information and second information are obtained in response to user requests in the separate first and second communications, as amended claims 1 and 42 also recite. Gallagher at best discloses sending a web alert URL to the wireless device upon completion of a search. *See* paragraph [0030] of

Gallagher. However, Gallagher fails to teach or suggest that the URL be predetermined and the same for all search results responsive to user requests in separate communications. Nor does Srinivasan teach or suggest the claim limitations discussed above. As such, amended claims 1 and 42, together with their dependent claims, are patentable over Gallagher and Srinivasan.

Claims 14 and 55 have been amended to recite that the file associated with the user includes at least one preference, and that the information in the file is presented to the user in “an organization according to the at least one user preference in the file.” Srinivasan at best discloses that “[i]nformation stored in the database may include ... location dependent user preferences.” *Id.* at paragraph [0042]. By contrast, the user preference recited in the claims has nothing to do with location dependency. Rather, the user preference there affects the organization of information in a presentation to the user. Nor does Gallagher teach or suggest such a user preference as claimed. As such, amended claims 14 and 55, together with their dependent claims, are patentable over the cited art.

In rejecting claims 25 and 66, the Examiner attempted to read the term “station” in those claims on a “website.” Office Action at pages 11 and 14. For the sake of argument, by adopting the Examiner’s reading, i.e., replacing the claim term “station” with a “website,” claims 25 and 66 would require a user communication device be connected “to a [website] associated with the desired telephone number through a voice connection.” The resulting claim language becomes nonsensical. Even assuming, *arguendo*, that the Examiner’s reading is proper, Gallagher explicitly teaches away from such a reading in that Gallagher has the “server in turn,” rather than the user wireless device itself, “contact[] one or more web sites for the content/information and send[] the found content/information to a gateway to initiate a data session with the wireless device over the wireless communications link.” Paragraphs [0006] and [0007] of Gallagher (emphasis added). Nor does Srinivasan meet the claim language in question. As such,

Serial No. 10/017,030

claims 25 and 66, together with their dependent claims, are patentable over the cited art.

In rejecting claims 34 and 75, the Examiner asserted that, among others, the “message” in claims 34 and 75 is generated “via selecting web alert URL” in Gallagher. Office Action at pages 4 and 6. However, Gallagher discloses at paragraph [0030]:

When the web alert URL is selected by the user using the wireless device, the wireless device makes a call to the S-WAP server 7 causing the S-WAP browser to push the search results associated with the web alert URL to the wireless device.

Thus, any message generated via selecting the web alert URL in Gallagher, as postulated by the Examiner, at best would be a request to the server for pushing search results to the wireless device, which, however, does not meet the term “message” in amended claims 34 and 75 which is generated “based on a selected one of the search results” already “provided” to the user device. As such, the claimed invention is not anticipated by Gallagher. Nor is the claimed invention obvious from reading Gallagher. Thus, amended claims 34 and 75, together with their dependent claims, are patentable over Gallagher.


The Examiner also rejected claims 29, 31-33, 70 and 72-74 under 35 U.S.C. 103(a) as being allegedly obvious over Gallagher and Srinivasan in view of Dunn. According to the Examiner, Dunn discloses a technique for “providing the user of a wireless communication various alternatives if a telephone call is not complete.” Office Action at page 18. Even if the Examiner’s characterization of the Dunn technique is accurate, claims 29, 31-33, 70 and 72-74 are patentable over the cited art by virtue of their dependency from claims 25 and 66, which are patentable for the reasons set forth above.

In view of the foregoing, each of claims 1-85, as amended, is believed to be in

Serial No. 10/017,030

condition for allowance. Accordingly, reconsideration of these claims is requested and allowance of the application is earnestly solicited.

Respectfully,

By 
Alex L. Yip
Attorney for Applicant
Reg. No. 34,759
212-836-7363

Date: May 25, 2005